



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
EDISON, NEW JERSEY 08837

July 1, 1991

Mr. William Deininger
Contract Administrator
Metcalf & Eddy of New York, Inc.
303 South Broadway
Tarrytown, NY 10591

RE: Administrative Order on Consent, Index No. II
CERCLA 10206

Dear Bill:

This will confirm our phone conversation of June 28, 1991 regarding the temporary stoppage of the removal action at the Nelson Galvanizing site. I had called you in your capacity as the Designated Coordinator, named pursuant to Paragraph 31 of the above referenced order (the "Order"). The Order has been signed by Respondents Nelson Galvanizing, Inc., Nelson Foundry, Inc., and John T. Sweeney, Jr. As we discussed, of particular concern to me was the lack of prior notification to me that the accumulation of empty drums and 3 roll-off containers would result in the cessation of removal activities due to lack of physical space. Notification of the occurrence of an event constituting a significant change in conditions or which could delay performance of any activity under the Order is required pursuant to Paragraphs 43 and 72 of the Order.

I was advised by my Counsel, Michael Mintzer, that in response to a phone call on June 28, 1991 from Charles Warren, attorney for Respondents under the Order, Mr. Mintzer discussed with Mr. Warren the situation concerning this temporary stoppage and the failure to provide notice to EPA.

With respect to the disposal of the bulked salts, I informed you that our RCRA office had analyzed samples and discovered high levels of lead, in the 85 ppm range. Accordingly, if the salts are a hazardous waste, and a recycler cannot be located, the salts will have to be disposed of as a RCRA waste. Any delay beyond the week of July 19th in either shipping for



off-site disposal or otherwise having an unconditional commitment for a date certain for such shipment would be unwarranted. We also discussed the removal of the now-cleaned empty plastic and metal 55 gallon drums. These containers can be immediately taken to a scrap dealer, and you stated that you would provide a truck if necessary to haul the containers off-site. Hopefully the 'log-jam' in the rear of the facility will be alleviated to some extent by disposing of the empty drums, and the removal of the salts will further eliminate the problem and allow the removal action to expeditiously proceed. In the future, should anything occur that would warrant a temporary stoppage of removal activities at the site, either myself or my supervisor Bruce Sprague, must be immediately informed of the situation as per the appropriate provisions of the Order.

Another matter, which we did not discuss, is the situation with the overhead crane. I noted from the latest weekly report, dated June 25, 9991, that the crane is still not operating. Unless it has been repaired subsequent to that last report, I believe it should be returned to working order immediately so that it will be available for use. If there is any unwillingness to expend funds for repair or replacement of any equipment, this should be immediately reported as per the appropriate provisions of the Order.

Thank you for your continued cooperation in this matter.

Sincerely yours,

Paul L. Kahn
On-Scene Coordinator
Response and Prevention Branch

cc: J. T. Sweeney Jr.

bcc: M. Mintzer, 2-ORC
A. Kelly, 2-RCRA